

**BIGFORK LAND USE ADVISORY COMMITTEE**  
**Approved Minutes September 29, 2016**  
**4:00 PM Bethany Lutheran Church – Downstairs Meeting Room**

Chairwoman Susan Johnson called the meeting to order at 4:04 pm.

**Present:** Committee members John Bourquin, Susan Johnson, Lou McGuire, Jim Bonser and Secretary Gwen Sutherland. There were 7 members of the public. Donna Valade and Marc Mussman were there from Flathead County Planning and Zoning.

The agenda was adopted. (m/s-Bourquin/McGuire/unanimous)

The minutes of the June 30th 2016 meeting were approved. (m/s-McGuire/Bourquin/unanimous)

**Administrator's Report and Announcements:** Sign-in sheet was passed around. Planning and Zoning website announced for all documents regarding minutes, agendas and applications.

Website: [flathead.mt.gov/planning\\_zoning](http://flathead.mt.gov/planning_zoning) and click on *meeting information*.

**Public Comment:** There was no public comment.

**Application:**

**FCU-16-15** A request from Vincent & Virginia Grillo and Tara Harbin, for a conditional use permit to construct a six-unit multi-family dwelling at 139 Jewel Basin Court and two (2) four-unit multi-family dwellings, the first dwelling would be located at 166 Jewel Basin Court and the second dwelling would be located at 202 Jewel Basin Court north of Bigfork. The subject properties are located within the Bigfork Zoning District and are zoned B-3 (Community Business). The proposal would be served by the Bigfork Water & Sewer District. The parcels can legally be described as Lot 6, Lot 12 and Lot 14 of Jewel Basin Plaza in Section 24, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana. This item will be reviewed by the Bigfork Land Use Advisory Committee (BLUAC) on Thursday September 29, 2016 @ 4:00 p.m. at Bethany Lutheran Church, 8559 Highway 35 in Bigfork

**Staff Report:** Donna Valade presented the application stating that the property comprises 3 different proposals—6-plex, two 4-plexes and another two 4-plexes. The property is currently part of a business center under B-3 zoning. Multi-family residential is a conditional use under the current zoning. All requirements have been met and the property will be re-reviewed for water, sewer, storm water drainage and waste removal.

Q. Bourquin: Will the Water/Sewer comments be included as an addendum?

A. Valade: The applicant is aware of the requirements and the BOA will have the comments at their meeting.

Q. Gonzales: What are the road width requirement for a B-3 Conditional Use?

A. Valade: It meets the requirements for final plat-22'.

**Applicant Report:**

Mr. Grillo stated the need for affordable housing in the Bigfork area. He felt the property was an appropriate use for affordable residential housing and promoted good stewardship for the valley for the following reasons: it is reasonable in size; all utilities are on site; it will provide affordable rental housing.

Q. Johnson: Where is handicapped parking?

A. Grillo: That is not required in residential zoning. There are 2 spaces per unit plus 2 additional place for visitors.

Q. Johnson: What about lighting?

A. Grillo: There is adequate street lighting and signage lighting to indicate address and location.

Q. McGuire: What defines affordable housing to you?

A. Grillo: Rents that do not exceed more than 30% of median income. In this area, that is about \$1100/month. Rents will be slightly less than that.

Q. Gonzales: What is the bedroom count?

A. Grillo: 2 bedroom units.

Q. Bourquin: What is the square footage of the units?

A. Grillo: Approximately 1000 square feet.

Q. Gonzales: I have a safety concern about small children. Is there a fenced place for them to play?

A. Grillo: The coverage for the land and parking is less than 40% which allows for areas of recreation.

Q. Gonzales: With the green box site and this subdivision, the intersection is getting congested. Will there be safe room for a school bus?

A. Grillo: In the original subdivision that was planned. The bus can come in and turn around in the cul-de-sac.

**Public Agencies:** No public agencies were present. All responded in writing with no complaint.

**C**

**Public Comment:**

Glenn Wagers: Stated that he worked in the area and the roads are adequate enough to have his semi-trucks go in and out of the area. He stated that he is totally in favor of the project. It's low impact and is good for the community.

Bill Newhart: Stated that with the cost of materials, it is difficult to build affordable housing. Stated that he is in favor of the project.

With no more public comment, Chairwoman Johnson closed public comment.

**Staff Response:** There was no further staff response.

**BLUAC Committee Action:**

**Motion to adopt the Findings of Fact** (m/s: Gonzales/McGuire/unanimous)

**Committee Comments:** Ms. Gonzales stated that the committee is pleased that the applicant brought the application to BLUAC. Affordable housing is consistent with the Bigfork Neighborhood Plan. The Committee agreed.

**Motion to forward a recommendation to the Board of Adjustment** (m/s: McGuire/Gonzales/unanimous)

**Application:**

**FZC 16-08** A zone change request in the Bigfork Zoning District by Johnson Family Trust. The proposal would change the zoning on 53.947 acres of a parcel containing 93.94 acres from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural). The subject property is located on Ramsfield Road adjacent to the Flathead River and can legally be described as a portion of:

Tract 2 of Certificate of Survey No. 18233, situated, lying and being in the Government Lots 3 & 4 and in the Northeast Quarter of the Southwest Quarter (NE¼ SW¼ ) of Section 14, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana

**Staff Report:** Mark Mussman passed out an email from Stan Ottosen. Mussman stated that that the application is a change from SAG 10 to SAG 5 zoning in order to have consistent zoning on all the applicant's property consisting totally of 93 acres. A boundary line adjustment was made. He stated that there are 13 Findings of Fact for consideration.

Q. Bourquin: Has the legal description been cleared up? It looks like something in lot 2 from the government lots was scratched out.

A. Mussman: The legal description dated 8/16/16 is the correct one.

Q. Bourquin: Maybe you should check for sure.

A. Mussman: We will.

Q. Gonzales: I know the application is not to subdivide, but looking at the topography, is there enough room for 10 buildable lots?

A. Mussman: We do a build out analysis on a zone change. In this case density would be approved for 10 lots. Speculation in the future would be 5 acres lots.

Q. Gonzales: What is the percentage for infrastructure in a subdivision?

A. Mussman: It's hard to narrow down considering river frontage, potential flood area and rock outcroppings. Under SAG 5 zoning, there would be 10 lots.

Q. Gonzales: On page 3 of the Staff Report, I have a question regarding the size of lots to the south of the subject property.

A. Mussman: I'm not sure of the exact acreage of those lots. They are smaller riverfront lots and were grandfathered in prior to zoning.

Q. Bonser: Is the minimum lot size in SAG 5 five acres?

A. Mussman: Yes.

Q. Gonzales: Is there a road maintenance agreement on Ramsfield Road?

A. Mussman: Yes, it is a county road and maintenance would be required.

Q. Bonser: Are there restrictions on drain fields and septic systems on the lots near the waterfront?

A. Mussman: Yes. There is a setback from waterfront and special flood hazard areas.

Q. Bonser: Is there a subdivision review?

A. Mussman: The Health Department doesn't comment on this type of zone change since there is not development at this time.

Q. McGuire: On the 8/11 memo, the parcel is not adjacent to Ramsfield Road. Do we have the right legal description?

A. Eric Mulcahy, Sands Surveying: Sterling Title accidentally included land that was not part of the application. It is only government lots 3 and 4 that are changing to SAG 5. 50 acres of the total 93 acres are being requested for SAG 5.

Q. McGuire: Are Johnson Ranch and Johnson Family Trust the same person?

A. Johnson: They are different ownerships.

Q. Gonzales: Did the Planning Board staff already approve? Delete this it was just clarification.

A. Johnson: Yes.

**Applicant Report:** There were no further comments by the applicant.

**Public Agencies:** No public agencies were present.

**Public Comment:**

Doug Tillett: Spoke in favor for the application.

Stan Ottosen: Emailed a comment opposing the subdivision. He is concerned that the owner's intention on subdividing the property is to sell the parcels individually which might impact traffic, water usage, water table levels and wells. He is

also concerned with noise levels. Mr. Ottosen stated in his email that two other land owners (Jackie Bouriague and Don Taylor) had similar concerns.

**Motion to adopt the Findings of Fact** (m/s: Gonzales/Bonser/unanimous)

**Motion to forward a recommendation to the Board of Adjustment** (m/s: Bourquin/McGuire/unanimous)

**Old Business:** There was no old business.

**New Business:**

Property Notices:

Mr. Bonser asked Mr. Mussman who should be noticed on a property application. Mussman said that in most places in the county it is property owners within 150'. In Lakeside, it is 300'. Bonser asked if larger properties should have a larger distance for notification. Mussman stated that the county would like to have consistency on noticing neighboring properties. Bourquin suggested that the Planning Board should address the issue. Mussman recommended that BLUAC members bring it to the Planning Board.

Applications for October and November:

Mr. Mussman stated that there are no applications for October or November.

The meeting was adjourned at 5:16 p.m.

Respectfully submitted,  
Gwen Sutherland, BLUAC Secretary